

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MINNESOTA**

CIVIL MOTION HEARING

COURT MINUTES

AT Venture Sales, LLC,

Plaintiff,

v.

Stork Craft Manufacturing, Inc. and Stork Craft
Manufacturing (USA), Inc.,

Defendants.

BEFORE: Elizabeth Cowan Wright
U.S. Magistrate Judge
Courtroom 3C, St. Paul, MN

Civil Case No.:	21-cv-02515-KMM-ECW
Date:	May 10, 2022
Court Reporter:	Carla Bebault
Time Commenced:	10:04 a.m.
Time Concluded:	11:42 a.m.
Time in Court:	1 Hour and 38 Minutes

APPEARANCES:

For Plaintiff: Ryan Lawrence and Arthur Boylan
For Defendants: Mark Azman

Hearing held on Plaintiff's Motion to Compel (Dkt. 40).

For the reasons stated at the hearing, Plaintiff's Motion to Compel (Dkt. 40) is **GRANTED** as follows:

1. Pursuant to the parties' agreement: Defendants will not limit production of documents to those that hit upon the agreed search terms but also produce all responsive documents.
2. Pursuant to the parties' agreement: with respect to text messages, social media communications, and app communications, Defendants, as to their five primary custodians, will have these custodians search on their own across their text messages, social media, and any apps they use for work, using some basic agreed-upon search terms. If anything results from those searches, the results will be produced to Plaintiff, subject to Plaintiff's right to seek such information from additional custodians to the extent necessary.
3. Defendants will provide to Plaintiff with a hit count report reflecting the number of unique documents generated by each of Plaintiff's proposed search terms at set forth in Docket Entry 42-12 on or before **May 31, 2022**.
4. Counsel for Plaintiff and Defendants shall meet and confer regarding to determine if the data for all of the custodians proposed by Plaintiff needs to be uploaded or if the number of custodians can be reduced. Defendants shall be prepared to explain why they believes a custodian is duplicative or why a custodian should have a smaller time range with respect to data that is collected.
5. The parties shall agree upon search terms and custodians on or before **June 15, 2022**. If the parties

reach agreement, Defendants must provide a date certain for its production of documents no later than **10 days** after the agreement is reached.

6. If disputes over search terms and custodians or the date certain for production remain, the parties have consented to address the disputes before the Court through the non-appealable informal dispute resolution (“IDR”) process. The parties will email separate letters to the Court of no more than three pages setting forth any remaining disputes. The letters must be emailed to Magistrate_Wright_Chambers@mnd.uscourts.gov no later than **5:00 p.m. on June 17, 2022**.
7. The IDR hearing will take place telephonically on **June 22, 2022 at 2:00 p.m.** Call-in information will be distributed at a later date.
8. The remaining deadlines in this case will be extended 120 days. An amended scheduling order will be issued separately.
9. Plaintiff’s request for reasonable attorney’s fees and costs associated with bringing the motion to compel is **GRANTED**. Plaintiff shall serve on Defendants’ counsel a declaration of counsel and supporting exhibits setting forth the amount sought in conjunction with bringing the motion to compel on or before **May 24, 2022**. If Defendants disagree with the amount sought, they may file on CM/ECF an opposition to the amount of fees and costs sought by Plaintiff on or before **May 31, 2022**. Plaintiff may file a reply in response to the opposition on or before **June 7, 2022**. The undersigned will resolve any dispute over fees and costs on the papers unless the Court determines a hearing is necessary.

☐ Exhibits retained by the Court ☐ Exhibits returned to counsel

s/Elizabeth Cowan Wright
United States Magistrate Judge